

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COOPERFRIEDMAN ELECTRIC SUPPLY
CO., INC.,

Plaintiff,

-against-

O.H. & M. ELECTRICAL CORP., and
JOSEPH LYNCH,

Defendants.
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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/8/2024

Case No.: 23-cv-8872 (GHW) (OTW)

JUDGMENT

The Summons and Complaint in this action having been served on Defendants O. H. & M. Electrical Corp. (“OHM”), and Joseph Lynch (“Lynch,” together with OHM, the “Obligors”), pursuant to the Federal Rules of Civil Procedure, and the time for the Defendants to appear or answer having expired, and Plaintiff CooperFriedman Electric Supply Co., Inc. (“Cooper”), having moved pursuant to Fed R. Civ. P. 55 and SDNY Local Rule 55.2 by Order to Show Cause dated December 19, 2023, and upon the Affidavit of James Bailey sworn to December 14, 2023, and the exhibits annexed thereto, the Declaration of Jill Levi dated December 14, 2023, and the exhibits annexed thereto, the Memorandum of Law of Cooper dated December 14, 2023, for the entry of a default judgment: (i) Upon the First and Second Claims for Relief for Breach of Contract and Account Stated against OHM in the amount of \$477,426.42, together with additional service charges at the rate of 18% per annum (“Service Charges”) accrued and accruing on the principal amount of \$475,275.86 (the “Principal Indebtedness”) from October 25, 2022; (ii) Upon the Third Claim for Relief for Breach of the Guaranty against Lynch in

the amount of \$477,426.42, together with additional Service Charges accrued and accruing on the Principal Indebtedness from October 25, 2022; (iii) dismissing without prejudice the Fourth Claim For Relief for attorneys' fees and collection costs; and (iv) upon all Claims for Relief, granting to Cooper such other and further relief as the Court deems just and proper; and

The Defendants having failed to respond to the Motion; and

Plaintiff having agreed to accept an award of 9% prejudgment interest in lieu of seeking recovery of the additional Service Charges of 18% per annum accrued and accruing from October 25, 2022, as stated on the record at the February 8, 2024 hearing;

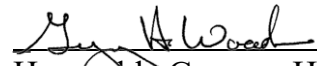
The Honorable Gregory H. Woods having granted the Motion, as stated on the record at the February 8, 2024 hearing, it is;

ORDERED AND ADJUDGED, that Plaintiff CooperFriedman Electric Supply Co., Inc. ("Cooper"), having a place of business at 315 Cranbury Half Acre Road, Cranbury, New Jersey 08512, shall recover against Defendant O. H. & M. Electrical Corp. ("OHM"), maintaining an address at 48 Carnation Avenue, Floral Park, New York 11001, on the First and Second Claims for Relief and against Defendant Joseph Lynch ("Lynch"), residing at 9 Soundview Drive, Bayville, New York 11709, on the Third Claim For Relief: in the principal amount of \$475,275.86 (the "Principal Indebtedness"); plus billed service charges in the amount of \$2,150.56 (the "Billed Service Charges"); plus prejudgment interest at the rate of 9% per annum accruing on the Principal Indebtedness and the Billed Service Charges from October 25, 2022 in the amount of \$48,971.03, and a total judgment against OHM and Lynch, jointly and severally, is

hereby entered in the amount of \$526,397.45; it is further

ORDERED AND ADJUDGED, that Plaintiff's Fourth Claim for Relief is hereby dismissed without prejudice.

JUDGMENT signed this 8th day of February, 2024


Honorable Gregory H. Woods
U.S.D.J.